

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
HELD TUESDAY, AUGUST 2, 2005

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MICHIGAN 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN
DEAN AUSILIO, VICE-CHAIRMAN
MICHAEL D. KOEHS, SECRETARY
MEMBERS: JOA PENZIEN
CHARLES OLIVER
ARNOLD THOEL
DEBORAH ZOLNOSKI

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Township Attorney
Jerome R. Schmeiser, Community Planning Consultant
(Additional attendance on file with Clerk)

Call Meeting to Order.

Chairman GALLAGHER called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

1. Roll Call.

Clerk KOEHS called the roll. All members present.

2. Approval of Agenda Items. (*With any corrections*)

MOTION by OLIVER seconded by THOEL to approve the agenda as presented.

MOTION carried.

3. Approval of the July 19, 2005 previous Meeting Minutes

MOTION by AUSILIO seconded by PENZIEN to approve the July 19, 2005 previous Meeting Minutes as submitted.

MOTION carried.

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4. **CONSENT AGENDA ITEMS:**

- 4a. **Extension of Time; Site Plan; BP Gas Station;** Located on the northeast corner of Hall Road and Hayes Road; Thomas Kellogg, Petitioner. Permanent Parcel No. 08-31-300-031.
(Expires July 15, 2005)

The Planning Commission reviewed the extension of time request. After due consideration the Planning Commission voted to table the matter to the next Planning Commission Meeting of August 16, 2005 to grant the petitioner additional time to address the issues that remain with the Township Building Official, Community Planning Consultant and Township Engineering Department.

Petitioner Present: Arthur Saco and William Thompson

Public Portion: None

MOTION by KOEHS seconded by AUSILIO to table the Extension of Time; Site Plan; BP Gas Station; to the August 16, 2005 Planning Commission Meeting. Permanent Parcel No. 08-31-300-031.

MOTION carried.

AGENDA ITEMS:

5. **Rezoning; Agricultural (AG) to Residential, One-Family Urban (R-1);** Located on the north side of 22 Mile Road, ½ mile west of Romeo Plank Road; Macomb Township, Petitioner. Permanent Parcel No. 08-20-451-005.

Jerome R. Schmeiser, Community Planning Consultant, simultaneously reviewed agenda item number 5-11 and recommended that the properties be rezoned from AG, Agricultural, to R-1, Residential - One Family Urban, for the following reasons: 1. The proposed rezoning is consistent with the goals of the Master Plan. 2. The proposed rezoning is consistent with the development of the surrounding properties.

Petitioner Present: Macomb Township

Public Portion: Marvin Wiegand, property owner, described the multiple uses of his property and addressed his concerns relating to the change in zoning classification that will affect the agricultural use of his land.

MOTION by KOEHS seconded by AUSILIO to table indefinitely the rezoning request; Agricultural (AG) to Residential, One-Family Urban (R-1); Located on the

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north side of 22 Mile Road, ½ mile west of Romeo Plank Road; Macomb Township, Petitioner. Permanent Parcel No. 08-20-451-005.

MOTION carried.

6. **Rezoning; Agricultural (AG) to Residential, One-Family Urban (R-1);**
Located on the north side of 22 Mile Road, ½ mile west of Romeo Plank Road;
Macomb Township, Petitioner. Permanent Parcel No. 08-20-451-006.

Previously discussed refer to agenda item number 5 comments.

Petitioner Present: Macomb Township

Public Portion: None

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the request to rezone the property from Agricultural (AG) to Residential, One-Family Urban (R-1) pursuant to the recommendations of the Planning Consultant specifically relating to Permanent Parcel No. 08-20-451-006. The Planning Consultants recommendations are as follows:

1. **The proposed rezoning is consistent with the goals of the Master Plan.**
2. **The proposed rezoning is consistent with the development of the surrounding properties.**

MOTION carried.

7. **Rezoning; Agricultural (AG) to Residential, One-Family Urban (R-1);**
Located on the south side of 22 Mile Road, ½ mile west of Romeo Plank Road;
Macomb Township, Petitioner. Permanent Parcel No. 08-29-100-031.

Previously discussed refer to agenda item number 5 comments.

Petitioner Present: Macomb Township

Public Portion: None

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the request to rezone the property from Agricultural (AG) to Residential, One-Family Urban (R-1) pursuant to the Planning Consultants recommendations specifically relating to Permanent Parcel No. 08-29-100-031. The Planning Consultants recommendations are as follows:

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1. **The proposed rezoning is consistent with the goals of the Master Plan.**
2. **The proposed rezoning is consistent with the development of the surrounding properties.**

MOTION carried.

8. **Rezoning; Agricultural (AG) to Residential, One-Family Urban (R-1);**
Located on the south side of 22 Mile Road, ½ mile west of Romeo Plank Road;
Macomb Township, Petitioner. Permanent Parcel No. 08-29-100-030.

Previously discussed refer to agenda item number 5 comments.

Petitioner Present: Macomb Township

Public Portion: None

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the request to rezone the property from Agricultural (AG) to Residential, One-Family Urban (R-1) pursuant to the Planning Consultants recommendations specifically relating to Permanent Parcel No. 08-29-100-030. The Planning Consultants recommendations are as follows:

1. **The proposed rezoning is consistent with the goals of the Master Plan.**
2. **The proposed rezoning is consistent with the development of the surrounding properties.**

MOTION carried.

9. **Rezoning; Agricultural (AG) to Residential, One-Family Urban (R-1);**
Located on the south side of 22 Mile Road, approximately ½ mile west of Romeo Plank; Macomb Township, Petitioner. Permanent Parcel No. 08-29-201-009.

Previously discussed refer to agenda item number 5 comments.

Petitioner Present: Macomb Township

Public Portion: None

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the request to rezone the property from Agricultural (AG) to Residential, One-Family Urban (R-1) pursuant to the Planning Consultants recommendations specifically relating to Permanent Parcel No. 08-29-201-009. The Planning Consultants recommendations are as follows:

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1. **The proposed rezoning is consistent with the goals of the Master Plan.**
2. **The proposed rezoning is consistent with the development of the surrounding properties.**

MOTION carried.

10. **Rezoning; Agricultural (AG) to Residential, One-Family Urban (R-1);** Located on the south side of 22 Mile Road, approximately ½ mile west of Romeo Plank Road; Macomb Township, Petitioner. Permanent Parcel No. 08-29-201-011.

Previously discussed refer to agenda item number 5 comments.

Petitioner Present: Macomb Township

Public Portion: None

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the request to rezone the property from Agricultural (AG) to Residential, One-Family Urban (R-1) pursuant to the Planning Consultants recommendations specifically relating to Permanent Parcel No. 08-29-201-011. The Planning Consultants recommendations are as follows:

1. **The proposed rezoning is consistent with the goals of the Master Plan.**
2. **The proposed rezoning is consistent with the development of the surrounding properties.**

MOTION carried.

11. **Rezoning; Agricultural (AG) to Residential, One-Family Urban (R-1);** Located on the south side of 22 Mile Road, approximately ½ mile west of Romeo Plank Road; Macomb Township, Petitioner. Permanent Parcel No. 08-29-201-004.

Previously discussed refer to agenda item number 5 comments.

Petitioner Present: Macomb Township

Public Portion: None

MOTION by AUSILIO seconded by PENZIEN to forward the recommendation to the Township Board of Trustees to approve the request to rezone the property from Agricultural (AG) to Residential, One-Family Urban (R-1) pursuant to the Planning

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Consultants recommendations specifically relating to Permanent Parcel No. 08-29-201-004. The Planning Consultants recommendations are as follows:

- 1. The proposed rezoning is consistent with the goals of the Master Plan.**
- 2. The proposed rezoning is consistent with the development of the surrounding properties.**

MOTION carried.

- 12. Tentative Preliminary Plat; Lone Oak Estates Subdivision (23 lots);** Located on the north side of 22 Mile, 566 feet west of Card Road; Polaris Enterprises, Petitioner. Permanent Parcel No. 08-22-400-032.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: James Grosser

Public Portion: Township resident residing across the street from the proposal addressed her concerns regarding the location for the sewer lines for this project.

MOTION by KOEHS seconded by THOEL to forward the recommendation to the Township Board of Trustees to approve the Tentative Preliminary Plat; Lone Oak Estates Subdivision (23 lots) Permanent Parcel No. 08-22-400-032. This motion is pursuant to the Planning Consultants recommendations as follows:

- 1. The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations;**
 - a. Macomb County Road Commission**
 - b. Office of Public Works Commission of Macomb County**
 - c. Macomb County Health Department**
 - d. Macomb County Planning Commission**
 - e. Michigan Department of Environmental Quality**
 - f. All public utility companies affected.**
 - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer.**
- 2. The Township Engineer approves all engineering plans for the computed plat.**

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3. That the detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.
4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval have been incorporated into the Final Preliminary Plat.
5. That all public street drain crossings within the boundaries of the Tentative Preliminary Plat shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145(10) of the Macomb Township Code.
6. That all lots within the Tentative Preliminary Plat meet the requirements of the Township Zoning Ordinance.
7. Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior the issuance of any building permits.
8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
9. That the "20 ft. common area for landscaping purposes" be developed in accordance with the provisions of the Land Division Ordinance of Macomb Township. A plan for the area must be prepared by a registered architect and include a layout of plants proposed for the area, an irrigation system including sprinklers, mulching materials for planting beds and details for the installation of all features of the plan. Also to be included is a cost estimate for the development of the area. Said cost to be prepared by the registered landscape architect who prepared the plan.

It is noted that in the development of the landscape easement, that no stones (a cobblestone measuring 3-8" in diameter is permitted) or loose materials are allowed to within 3' of any paved areas.

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10. That a bond in the amount to be determined by the Township Engineer be posted assuring the development of the “landscape easement.” The bond must be posted with the Macomb Township Treasurer prior to the acceptance of the application for Final Preliminary Plat.
11. That the tentative preliminary approval expires one year from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make NOTE of the above date. Any application for extension must be received by this office prior to the expiration date.
12. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plat. That the petitioner submits 2 copies of the plat to the Supervisors office for addressing. Addresses will be assigned after the final preliminary plat approval by the Township Board.
13. That the petitioner submits 2 copies of the restrictive covenants that will be recorded with the plat. The Restrictive Covenants must include an article to provide for the perpetual maintenance of all limited common areas that may include regulated wetlands, landscape areas, and floodplains. The covenants must be submitted with the application for Final Preliminary Plat.
14. If a ‘phasing plan’ has not been submitted it is assumed that this subdivision will be developed in one phase. Please be advised that any revisions to the phasing plan for this plat must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Tentative Preliminary Plat as a Revised Tentative Preliminary Plat.
15. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor’s Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor’s Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor’s Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

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This conditional approval does not provide any assurance or guarantee that any required split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

16. That the petitioner submit a revised plan to indicate the dimensions of the locations of the signs.

MOTION carried.

13. **Site Plan for Ground Sign(s); Strathmore Site Condominiums;** Located at the southeast corner of Luchtman and 26 Mile Roads (excluding immediate corner); Pulte Homes of MI, Petitioner. Permanent Parcel No. 08-04-100-029.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Brian Newcomb

Public Portion: None

MOTION by KOEHS seconded by THOEL to approve the Site Plan for Ground Sign(s); Strathmore Site Condominiums. The proposed signs will be situated on the southeast and southwest corner of Knights Bridge Boulevard. The walls are planned abutting lots 5 and 14 and will also be situated within the 20' dedicated landscape area. The signs and walls appear to be located within the 10' setback as required by the zoning ordinance. Permanent Parcel No. 08-04-100-029. This motion is pursuant to the Planning Consultants recommendations as follows:

1. That Section 10.0319 of the Zoning Ordinance be met.
2. That the ground signs be limited to 32 square feet.
3. That a \$500.00 cash bond be posted assuring the construction of each sign as approved.
4. That revised site plans be submitted indicating the 20' dedicated landscape area along with the required setbacks for the walls and signs. All walls must set back 10' from a major road and 15' from the interior street.

MOTION carried.

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14. **Site Plan for Ground Sign; Buckingham Woods Subdivision #1;** Located on the north side of 22 Mile Road, on the east and west sides of Dunhill Drive; Buckingham Woods Homeowner's Association, Petitioner. Permanent Parcel Nos. 08-21-476-013 & 08-21-477-014.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Kenneth Nelson representative on behalf of Homeowners Association.

Public Portion: None

MOTION by AUSILIO seconded by PENZIEN to approve the Site Plan for a Ground Sign; Buckingham Woods Subdivision #1 the proposed sign will be 4' high and 8' long and setback a minimum of 10' from 22 Mile and 15' from Dunhill Drive. The zoning ordinance requires that the sign be situated within the 20' dedicated landscape area, set back 10' from the major road and 15' from the local street. Permanent Parcel Nos. 08-21-476-013 & 08-21-477-014.

1. **That Section 10.0319 of the Zoning Ordinance be met.**
2. **All necessary permits *must* be obtained from the Building Department prior to any sign construction.**
3. **That the ground sign be limited to 32 square feet.**
4. **That a \$500.00 cash bond be posted assuring the construction of the sign as approved. (Bond posted August 3, 2005).**

MOTION carried.

15. **Site Plan for Ground Sign; Buckingham Woods Subdivision #2;** Located on the north side of 22 Mile Road, on the east and west sides of Lehr Drive; Buckingham Woods Homeowner's Association, Petitioner. Permanent Parcel Nos. 08-21-451-018 & 08-21-452-023.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Kenneth Nelson representative on behalf of Homeowners Association.

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Public Portion: Township resident residing in Buckingham Woods Subdivision # 2 recommended that the Commission consider this proposal and approve the petitioner's request.

MOTION by KOEHS seconded by THOEL to approve the Site Plan for a Ground Sign; Buckingham Woods Subdivision #2 the proposed sign will be 4' high and 8' long and setback a minimum of 10' from 22 Mile and 15' from Lehr Drive. The zoning ordinance requires that the signs be situated within the 20' dedicated landscape area, set back 10' from the major road and 15' from the local street. Permanent Parcel Nos. 08-21-451-018 & 08-21-452-023.

1. That Section 10.0319 of the Zoning Ordinance be met.
2. All necessary permits *must* be obtained from the Building Department prior to any sign construction.
3. That the ground sign be limited to 32 square feet.
4. That a \$500.00 cash bond be posted assuring the construction of the sign as approved. (Bond posted August 3, 2005).

MOTION carried.

16. **Site Plan for Temporary Construction Sign(s); Jaguar, Land Rover and Saab of Lakeside;** Located on the north side of Hall Road, east of Romeo Plank Road; Aristeo Construction, Petitioner. Permanent Parcel No. 08-33-353-003; 08-33-353-004; 08-33-352-032 & 08-33-352-034.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Name was not stated

Public Portion: None

MOTION by KOEHS seconded by ZOLNOSKI to approve the Site Plan for Temporary Construction Sign(s); Jaguar, Land Rover and Saab of Lakeside. The proposed temporary signs are planned as follows: the first sign will be one 15' setback from Romeo Plank at the entrance and the second sign will be 15' setback along Hall Road. The signs will measure 8' x 8' each with an overall height of 10' and will advertise the construction of the Jaguar, Land Rover and Saab dealerships. Permanent Parcel No. 08-33-353-003; 08-33-353-004; 08-33-352-032 & 08-33-352-034. This motion is pursuant to the Planning Consultants recommendations as follows:

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1. That Section 10.0319 of the Zoning Ordinance be met.
2. All necessary permits *must* be obtained from the Building Department prior to any sign construction.
3. That the ground sign be limited to 64 square feet.
4. That the approval be for a period of one year, at which time the petitioner will apply for an extension.
5. That a \$500.00 cash bond be posted assuring the construction of the signs as approved.

MOTION carried.

PLANNING CONSULTANTS COMMENTS: None

PLANNING COMMISSION COMMENTS: None

17. Motion to receive and file all correspondence in connection with this agenda.

MOTION by PENZIEN seconded by AUSILIO to receive and file all correspondence in connection with this agenda.

MOTION carried.

ADJOURNMENT:

MOTION by KOEHS seconded by AUSILIO to adjourn the meeting at 7:50 p.m.

MOTION carried.

Respectfully submitted,

Edward Gallagher, Chairman

Michael D. Koehs, CMC
Macomb Township Clerk
MDK/gmb